

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MICHAEL RODIO,

Plaintiff,

v.

R.J. REYNOLDS TOBACCO COMPANY,

Defendant.

Civil Action No. 04 CV 10006 WGY

**ASSENTED- TO MOTION FOR LEAVE TO APPEAR PRO HAC VICE**

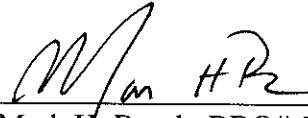
The undersigned, local counsel for Defendant R.J. Reynolds Tobacco Company ("RJRT") and members of the bar of this Court, hereby request pursuant to LR 83.5.3 that Randy Loftis, Jr., be permitted to appear as counsel for RJRT and practice in this Court *pro hac vice*. As grounds therefore, local counsel states that Mr. Loftis has a prior attorney/client relationship with RJRT. The certificate of Mr. Loftis is submitted herewith.

Plaintiff's counsel has indicated that he assents to this motion.

Respectfully submitted,

R.J. REYNOLDS TOBACCO COMPANY

By its attorneys,



Mark H. Burak, BBO# 558805

Sandra E. Kahn, BBO # 564510

Morse, Barnes-Brown & Pendleton, P.C.

Reservoir Place

1601 Trapelo Road

Waltham, MA 02451

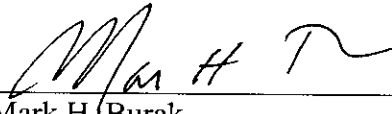
(781) 622-5930

(781) 622-5933 (facsimile)

Dated: January 26, 2004

**LR 7.1(A)(2) CERTIFICATION**

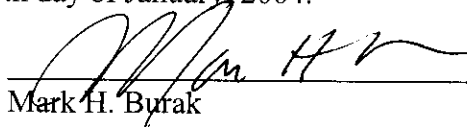
On January 26<sup>th</sup>, 2004, I discussed the issues raised by this motion with counsel for Plaintiff, Michael Sahady, who indicated he assented to the admission of Mr. Loftis *pro hac vice*.



Mark H. Burak

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served on all attorneys of record by first class mail this 26th day of January, 2004.



Mark H. Burak

MORSE,  
BARNES-BROWN &  
PENDLETON, P.C.

*The Business Law Firm on Route 128*

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COURT

Writer's email:  
mrl@mbbp.com

January 26, 2004

BY HAND DELIVERY

Clerk's Office  
United States District Court for the  
District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210

Re: Michael Rodio v. R.J. Reynolds Tobacco Company  
Civil Action No. 04 CV 10006 WGY

Dear Sir or Madam:

Enclosed for filing please find the following documents in regards to the above-referenced matter:

1. ASSENTED- TO MOTION FOR LEAVE TO APPEAR PRO HAC VICE;
2. CERTIFICATE OF W. RANDOLPH LOFTIS, JR.;
3. LOCAL RULE 16.1 JOINT SCHEDULING CONFERENCE REPORT; and
4. DEFENDANT'S LR 16.1(D)(3) CERTIFICATION

I have also enclosed a copy of each of the documents listed above. Please date-stamp each copy and return them to me in the enclosed, self-addressed envelope.

Thank you for your attention to this matter. Please feel free to contact me with any questions you have.

Very truly yours,



Meghan R. LaRock  
Corporate Paralegal

Enclosures

cc: Michael S. Sahady, Esq.  
W. Randolph Loftis, Jr.